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**OCT 07 2009**

**OFFICE OF PETITIONS**

In re Application of :  
Samuel Ozil :  
Application No. 10/537,294 :  
Filed: June 2, 2005 :  
Attorney Docket No. 0581-1012 :  
: DECISION ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed August 12, 2009, to revive the above-identified application.

The petition is **GRANTED**.

The above-identified application became abandoned for failure to reply in a proper and timely manner to the Notification of Non-Compliant Appeal Brief (Notice) mailed March 6, 2009, which set a period for reply of one (1) month or thirty (30) days, whichever is longer. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the above-identified application became abandoned on April 7, 2009.

The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the reply in the form of an amended Appeal Brief and required fee of \$540.00 (previously paid on February 9, 2009); (2) the petition fee of \$1,620.00; and (3) a proper statement of unintentional delay.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-7751.

The file is now being forwarded to Technology Center 3749 for processing of the amended Appeal Brief filed with the instant petition.

Joan Olszewski  
Petitions Examiner  
Office of Petitions